

212752US2 REISSUE

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: :
TOSHIHISA SARUTA : EXAMINER:
PATENT NO: 6,196,670 :
ISSUED: MARCH 6, 2001 : GROUP ART UNIT:
FOR: PRINTER AND INK CARTRIDGE :
ATTACHED THERETO

REISSUE DECLARATION

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

I, Toshihisa Saruta declare that:

1. I am a citizen of Japan and have a residence and post office address stated below
next to my name.

2. I have reviewed and understand the contents of the attached specification,
including the claims, of the above-identified reissue application, and also including the
amendments to the allowed claims, and new Claims 31-61 concurrently filed herewith.

3. I verily believe myself to be the original, first, and sole inventor of the invention
described and claimed in U.S. letters patent 6,196,670 for PRINTER AND INK
CARTRIDGE ATTACHED THERETO granted on March 6, 2001, to myself and in the
foregoing specification for which invention I solicit a reissue patent including added Claims
31-61.

4. The entire title to said U.S. letters patent 6,196,670 is vested in Seiko Epson Corporation having a place of business at 4-1, Nishi-shinjuku 2-chome Shinjuku-ku, Tokyo, Japan.

5. I do not know and do not believe that my invention as disclosed and claimed in the present reissue application was ever known or ever used in the United States of America before the invention thereof by myself.

6. I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in 37 CFR §1.56.

7. I have previously claimed and still claim foreign priority benefits under Section 119 of Title 35 of the United States Code, based upon Japanese Patent Application Nos. 10-336330 filed November 26, 1998, 10-336331 filed November 26, 1998, 10-367490 filed December 24, 1998, 11-003993 filed January 11, 1999, and 11-296024 filed October 18, 1999, and have also previously identified and currently identify any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

8. I believe that the original United States letters patent 6,196,670 is partly inoperative by reason of the issued claims of said letters patent claiming more or less than I had a right to claim.

9. As one example of an error being corrected by the present reissue application, independent Claim 1 of U.S. patent 6,196,670 recites the "memory writing unit" writes plural pieces of information relating to the cartridge into the rewritable non-volatile memory of the cartridge "at a preset timing and thereby at a certain frequency". It is unnecessary for patentability of independent Claim 1 to require any specific timing or frequency of the

"memory writing unit" to write data to the rewritable-non-volatile memory of the cartridge.

In that respect, Claim 1 has been broadened to delete the language "at a preset timing and thereby at a certain frequency".

10. Other examples of errors being corrected by the present reissue application are to further recite in Claim 19 that the information written into the non-volatile memory is "in response to a power down instruction occurred in the printer main body", and to add new Claims 31-61 for examination written in "means plus function" format.

11. All errors being corrected in the present reissue application arose without any deceptive intent on my part or on the part of the Assignee.

12. I believe that all claims in this application finds full support in the original specification.

13. I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected herewith: Norman F. Oblon, Reg. No. 24,618; Marvin J. Spivak, Reg. No. 24,913; C. Irvin McClelland, Reg. No. 21,124; Gregory J. Maier, Reg. No. 25,599; Arthur I. Neustadt, Reg. No. 24,854; Richard D. Kelly, Reg. No. 27,757; James D. Hamilton, Reg. No. 28,421; Eckhard H. Kuesters, Reg. No. 28,870; Robert T. Pous, Reg. No. 29,099; Charles L. Gholz, Reg. No. 26,395; William E. Beaumont, Reg. No. 30,996; Jean-Paul Lavalleye, Reg. No. 31,451; Stephen G. Baxter, Reg. No. 32,884; Richard L. Treanor, Reg. No. 36,379; Steven P. Weihrouch, Reg. No. 32,829; John T. Goolkasian, Reg. No. 26,142; Richard L. Chinn, Reg. No. 34,305; Steven E. Lipman, Reg. No. 30,011; Carl E. Schlier, Reg. No. 34,426; James J. Kulbaski, Reg. No. 34,648; Richard A. Neifeld, Reg. No. 35,299; J. Derek Mason, Reg. No. 35,270; Surinder Sachar, Reg. No. 34,423; Jeffrey B. McIntyre,

Reg. No. 36,867; Bradley D. Lytle, Reg. No. 40,073; Michael R. Casey, Reg. No. 40,294;
William T. Enos, Reg. No. 33,128 and Michael E. McCabe, Jr., Reg. No. 37,182.

14. I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Oct 11 01
Date

Toshihisa Saruta
Toshihisa Saruta
c/o
Seiko Epson Corporation
3-5, Owa 3-chome, Suwa-shi,
Nagano-ken 392-850 to
Japan
Residence: Nagano-ken

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: :
TOSHISA SARUTA : EXAMINER:
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CONSENT OF ASSIGNEE

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

The sole assignee of said aforementioned Letters Patent No. 6,196,670, Seiko Epson Corporation, a Japanese company, located at 4-1, Nishi-shinjuku 2-chome, Shinjuku-ku, Tokyo, Japan, in accordance with the requirement of 37 CFR 1.172(a) hereby assents to this reissue application.

I hereby certify that I have the authority to assent to this reissue application, that the Assignment has been recorded in the U.S. Patent and Trademark Office at reel no. 010682, frame(s) 0535, that I have reviewed the Assignment recorded at said reel and frame, and that title is in the above-noted assignee.

I, the undersigned, declare further that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title

Date: October 1, 2001

Name Masataka Kamiyanagi

Title

譲渡証 (Translation/日本語訳)

下記に署名した私/私達、

桑田 稔久 は、

ある発明を創出し、これについて合衆国特許出願は

- ☐ ここに私/私達により署名され、
☐ _____ に私/私達により (それぞれ) 署名され、
☒ 1999 年 11 月 26 日に出願され、出願番号 09/449,731 が
 交付され、
☐ PCT 国際出願 _____ として _____ に出願され、

その発明は

印刷装置およびインクカートリッジ

という名称である。そして、ここにその受領を認める対価で：私/私達は、当該発明/出願について、合衆国とその属領及び全ての外国に於ける全面的かつ独占的な権利；合衆国とその属領及び全ての外国に於いて発行される特許証に関わる全ての権利、所有権、利益；一部継続出願、継続出願、分割出願、差替え出願、再発行出願、特許期間延長等、合衆国とその属領及び全ての外国に於いて既に出願されたか若しくは今後出願される特許に関わる全ての権利；そして、国際条約、同盟、契約、法令、協定 (将来制定されるものを含む) に基づく全ての優先権を伴う一切の権利；を、日本国東京都新宿区西新宿 2 丁目 4 番 1 号に住所を有するセイコーエプソン株式会社、その後継者、譲受人及び法定代理人に対して、売却、譲渡、移転するものとする。

さらに、私/私達は、セイコーエプソン株式会社 (以下譲受人と言う) が単数ないしは複数の当該発明 (以下当該発明という) に関わる特許権を、自己の名により、合衆国とその属領及び全ての外国に於いて出願し、特許を受けること；またこの譲渡証の意図と目的を誠実に実行することを求められた場合、下記に署名した私/私達が、当該譲受人、その後継者、その被譲渡者、及び法定代理人の費用負担にて、一部継続出願、継続出願、分割出願、差替え出願、再発行出願、特許期間延長等を行い、合法的宣誓書、譲渡証、委任状等の書類を作成し、あらゆる法的または準法的訴訟手続に於いて証言を行うこと；当該発明とその経緯に関連して、下記に署名した私/私達が知り得た全ての事実を、当該譲受人、後継者、被譲渡者、及び法定代理人に連絡すること；そして当該譲受人、後継者、被譲渡者、及び法定代理人が、当該発明の特許権の適切な保護、維持、権利行使するために望ましいと考慮すること、また、当該発明に関わる特許出願に際し、当該譲受人、後継者、被譲渡者、及び法定代理人に対して法的権限を付与することが望ましいと考慮することについて、可能な限り行うことを承諾する。

Assignment

For good and valuable consideration, the receipt of which is hereby acknowledged, I/WE, the undersigned,

Toshihisa SARUTA,

who have created a certain invention for which an application for United States Letters Patent

- ☐ executed by ME/US on even date herewith,
☐ executed by ME/US on _____, (respectively),
☒ filed on November 26, 1999 and assigned Serial No. 09/449,731,
☐ filed as International Application No. _____ filed on _____

and entitled:

PRINTER AND INK CARTRIDGE ATTACHED THERETO

Do hereby sell, assign and transfer to Seiko Epson Corporation, a corporation of Japan, having a place of business at 4-1, Nishi-shinjuku 2-chome, Shinjuku-ku, Tokyo, Japan, its successors, assigns, and legal representatives, the full and exclusive right to said invention and said application and to any and all inventions described in said application for the United States, its territorial possessions and all foreign countries, and the entire right, title and interest in and to any and all Letters Patent which may be granted therefor in the United States, its territorial possessions and all foreign countries; and in and to any and all continuations-in-part, continuations, divisions, substitutes, reissues, extensions thereof, and all other applications for Letters Patent relating thereto which have been or shall be filed in the United States, its territorial possessions and/or any foreign countries, and all rights, together with all priority rights, under any of the international conventions, unions, agreements, acts, and treaties, including all future conventions, unions, agreements, acts, and treaties;

Agree that Seiko Epson Corporation, hereinafter referred to as Assignee, may apply for and receive Letters Patent for said invention and said inventions, hereinafter referred to as said invention, in its own name, in the United States, its territorial possessions, and all foreign countries; and that, when requested to carry out in good faith the intent and purpose of this assignment, at the expense of said Assignee, its successors, assigns and legal representatives, the undersigned will execute all continuations-in-part, continuations, divisions, substitutes, reissues, extensions thereof, execute all rightful oaths, assignments, powers of attorney and other papers, testify in any legal or quasi legal proceedings; communicate to said Assignee, its successors, assigns or legal representatives all facts known to the undersigned relating to said invention and the history thereof; and generally do everything possible which said Assignee, its successors, assigns, or legal representatives shall consider desirable for aiding in securing, maintaining and enforcing proper patent protection for said invention and for vesting title to said invention and all applications for patents on said invention in said Assignee, its successors, assigns, or legal representatives; and

そして、私/私達は、この書面により譲渡された権利や財産に影響する、如何なる譲渡、授権、抵当権、ライセンス等その他の協定も他の第三者との間で行っていないこと；下記に署名した私/私達によって、この書面に記載されている権利が所有されていることを、当該譲受人、後継者、被譲渡者、及び法定代理人に対して誓約するものである。

さらに、下記に署名した私/私達はこの譲渡書は英語の部分の表現によってのみ解釈されることに同意する。

上記を証明するため、私/私達は下記日付で署名する。

Covenant with said Assignee, its successors, assigns, or legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

I/WE, the undersigned do further agree that this Assignment is to be construed solely according to the terms of the English language portions thereof.

IN TESTIMONY WHEREOF I/WE have hereunto set MY/OUR signature seal on the date indicated below.

唯一または第一発明者名 猿田 稔久		Full name of sole or first inventor Toshihisa SARUTA	
発明者の署名 猿田 稔久	日付 2000年2月16日	Inventor's signature Toshihisa Saruta	Date Feb 16, 2000
第二共同発明者 (いる場合)		Full name of second joint inventor, if any	
第二共同発明者の署名	日付	Second inventor's signature	Date
第三共同発明者 (いる場合)		Full name of third joint inventor, if any	
第三共同発明者の署名	日付	Third inventor's signature	Date
第四共同発明者 (いる場合)		Full name of fourth joint inventor, if any	
第四共同発明者の署名	日付	Fourth inventor's signature	Date
第五共同発明者 (いる場合)		Full name of fifth joint inventor, if any	
第五共同発明者の署名	日付	Fifth inventor's signature	Date
第六共同発明者 (いる場合)		Full name of sixth joint inventor, if any	
第六共同発明者の署名	日付	Sixth inventor's signature	Date
第七共同発明者 (いる場合)		Full name of seventh joint inventor, if any	
第七共同発明者の署名	日付	Seventh inventor's signature	Date
第八共同発明者 (いる場合)		Full name of eighth joint inventor, if any	
第八共同発明者の署名	日付	Eighth inventor's signature	Date